

UNITED STATES DISTRICT COURT

for the

District of South Carolina

Sharon Funderburk and Thomas Funderburk*Plaintiffs*

v.

South Carolina Electric & Gas Company, The
County of Lexington, SC and CSX Transportation,
Inc.,*Defendants*)
)
)
)
)

Civil Action No. 3:15-04660-JMC

JUDGMENT IN A CIVIL ACTIONThe court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the defendant (*name*) _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____ recover costs from the plaintiff (*name*) _____.

☒ other: summary judgment is entered for the defendants, CSX Transportation, Inc. and The County of Lexington, SC. The plaintiffs shall take nothing as to the second amended complaint and this action is dismissed with prejudice.

This action was (*check one*):

☐ tried by a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

☒ decided by the Honorable J. Michelle Childs, United States District Judge presiding. The court having granted defendant, CSX Transportation, Inc.'s motion for summary judgment and granted in part defendant, The County of Lexington, SC's motion for summary judgment as to the Plaintiffs' claims for Fifth Amendment inverse condemnation, nuisance, and strict liability.

Date: August 1, 2019

CLERK OF COURT

s/Angie Snipes

Signature of Clerk or Deputy Clerk